

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE CT GROUP HOLDINGS LIMITED
FOR AN ORDER TO TAKE DISCOVERY
FOR USE IN FOREIGN PROCEEDINGS
PURSUANT TO 28 U.S.C. § 1782

Case No. 23-MC-00403

DECLARATION OF EDWARD GREENO

I, Edward Greeno, pursuant to 28 U.S.C. § 1746, hereby declare, under penalty of perjury under the laws of the United States, as follows:

1. I submit this declaration in connection with CT Group Holdings Limited (“CT Group” or “Petitioner”)’s *Ex Parte* Application and Petition For An Order To Conduct Discovery From e` Clearing House Payments Company LLC (“CHIPS”) and e` New York Federal Bank of New York (“Federal Reserve Bank” and, together with CHIPS, the “Respondents”) For Use In A Foreign Proceeding Pursuant To 28 U.S.C. § 1782 (“1782 Application”). Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the 1782 Application and accompanying Memorandum of Law.

I. DEVELOPMENTS IN THE [REDACTED]

2. As explained in my Declaration of December 12, 2023, filed in the present 1782 action, on November 30, 2023, the [REDACTED] were heard before [REDACTED] [REDACTED] On December 11, 2023, judgment in the [REDACTED] [REDACTED] was handed down, and Linda was denied *Norwich Pharmacal* relief against Petitioner.

3. Having provided judgment, [REDACTED] adjourned the hearing in order to allow further time for Linda apply for permission to appeal the judgment. e` time period in which Linda will be able to apply for permission to appeal will not begin to run until a further

hearing takes place (the “**Consequentialis Hearing**”)¹ or a further Order is made by the Court.

e` relevant Order is attached hereto as **Exhibit 01**.

4. Petitioner and Linda have consented to an Order that the time for making any application for permission to appeal to the [REDACTED]
[REDACTED]

[REDACTED] shall be that directed at a Consequentialis Hearing or in any further Order of the [REDACTED]
[REDACTED] The Order was made by [REDACTED] on December 12, 2023, a copy of which is attached hereto as **Exhibit 02**.

5. Once the Consequentialis Hearing takes place, or any further Order is made by [REDACTED], Linda will have 21 days to file a notice to appeal pursuant to [REDACTED]
[REDACTED], after which Linda will have 7 days to serve such notice on Petitioner pursuant to [REDACTED]

6. On 15 December 2023, the Court endorsed Petitioner’s Letter Motion to Stay Consideration of Petitioner’s 1782 Application for five weeks. Linda has not taken any steps to progress the [REDACTED] following the handing down of the judgment. A Consequentialis Hearing has not yet been sought by Linda and no further correspondence between the parties has taken place. Petitioner is in Linda’s hands in respect of the progressing of the [REDACTED]
[REDACTED] towards their conclusion. Consequential matters are meant to be determined promptly at a short oral hearing, and are generally fixed within 7 to 14 days of a judgment being handed down [REDACTED]
[REDACTED] Petitioner has sought to advance the Foreign Proceeding, including by making its offer on attorneys’ costs immediately. As Linda’s delay threatens to

¹ A Consequentialis Hearing will determine any application for permission to appeal and the award of costs and attorneys fees. Once the Consequentialis Hearing takes place, or any further Order is made by the [REDACTED] judge, Linda will have 21 days to file a notice to appeal pursuant to [REDACTED] after which Linda will have 7 days to serve such notice on Petitioner pursuant to [REDACTED]

obstruct resolution of the Foreign Proceeding, Petitioner does intend to write to Linda's legal representatives in the week commencing 22 January 2024 and seek an update on Linda's intended next steps in respect of the [REDACTED]. If Linda continues to stalwart, Petitioner will request the Hearing to force Linda to make a decision.

7. Petitioner proposes that the consideration of the 1782 Application be stayed for a further five weeks to allow time for the Consequentialis Hearing to take place, or for a further Order to be made by the Court per paragraph 3 of the Order. If Linda decides to appeal, the discovery sought by the 1782 Application will remain relevant for the purpose of that appeal.

8. Petitioner will inform the Court within 48 hours of any change in circumstances that would impact the Court's decision to either lift the proposed stay or dismiss the 1782 Application; for example, if a Consequentialis Hearing takes place and Linda does not seek permission to appeal the judgment, or the [REDACTED] are otherwise concluded on the paper.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 under the laws of the United States that the foregoing is true and correct.

Executed on January 19, 2024
in London



Edward Greeno